

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

ORDER REGARDING DEFECTIVE PLEADING

The Court has received and reviewed the *Replica contra la Objeción Global de la Reclamación 14706* (the “Pleading”) filed by Ginnette M. Loperena Nigaglioni on behalf of Universal Care Corporation (Docket Entry No. 16807).

The Pleading is defective because it was not filed by counsel to Universal Care Corporation. Business entities may not appear in this proceeding without counsel, as they are not natural persons. Rowland v. California Men’s Colony, 506 U.S. 194, 202-03 (1993) (explaining that corporations and other artificial entities can only appear in federal court through licensed counsel). Additionally, under 48 U.S.C. § 864, all pleadings and proceedings in the District Court for the District of Puerto Rico shall be conducted in English. Local Bankruptcy Rule 9070-1(c) further requires all exhibits and documentary evidence in Spanish (or any other

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

language) be fully translated into the English language by a certified translator. Accordingly, the Pleading is hereby stricken.

Universal Care Corporation is granted leave to file a corrected pleading by **July 20, 2021 by 5:00 p.m. (Atlantic Standard Time)**. The Financial Oversight and Management Board for Puerto Rico shall file a response (if any) by **July 27, 2021 by 5:00 p.m. (Atlantic Standard Time)**.

SO ORDERED.

Dated: May 26, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

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U.S. Bankruptcy Court

District of Puerto Rico

Notice of Electronic Filing

The following transaction was received from Ramirez, Marian entered on 5/26/2021 at 4:38 PM AST and filed on 5/26/2021

Case Name: COMMONWEALTH OF PUERTO RICO and Puerto Rico Public Buildings Authority (PBA)

Case Number: 17-03283-LTS9

Document Number: 16809

Docket Text:

ORDER REGARDING DEFECTIVE PLEADING. The [16807] Response to Debtor's Objection to Claims (Number(s): 14706) to [16643] Debtor's Omnibus Objection to Claims - Three Hundred Sixteenth Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, the Puerto Rico Highways and Transportation filed by Universal Care Corporation c/o Ginnette M. Loperena Nigaglioni is STRICKEN. **Corrected pleading shall be filed by July 20, 2021 by 5:00 p.m. (AST). The Financial Oversight and Management Board for Puerto Rico shall file a response (if any) by July 27, 2021 by 5:00 p.m. (AST).** Signed by Judge Laura Taylor Swain on 5/26/2021. (mr) s/c by mail sent to Universal Care Corporation c/o Ginnette M. Loperena Nigaglioni.